

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PEGASUS DENIZCILIK A.S., : 07 Civ. 8646 (JFK)

Plaintiff: :

- against - :

FILOMEY BUSINESS LTD., :

Defendant. :
-----X

**DECLARATION OF KEVIN J. LENNON
IN SUPPORT OF PLAINTIFF'S REQUEST FOR
CLERK'S CERTIFICATE AND ENTRY OF DEFAULT**

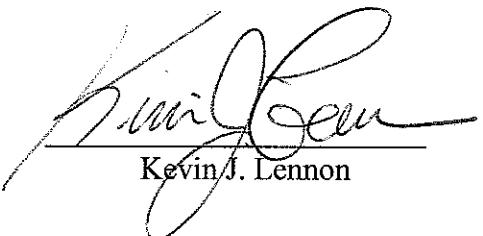
Kevin J. Lennon, declares under penalty of perjury of the laws of the United States of America as follows:

1. I am a partner in the firm of Lennon, Murphy & Lennon, LLC, counsel to the Plaintiff herein, PEGASUS DENIZCILIK A.S. (hereinafter "Plaintiff"). I have personal knowledge of the matters stated herein. I submit this Declaration in Support of Plaintiff's Request for a Certificate of Default against Defendant, FILOMEY BUSINESS LTD. (hereinafter "Defendant").
2. I certify that neither Defendant, the parties against whom a notation of default is sought, is an infant, in the military, or an incompetent person.
3. I further certify that while Defendant has entered a limited appearance that it has otherwise failed to plead or otherwise defend itself within this action although it has been served with process and Plaintiff has also attached Defendant's property in the District and provided notice thereof as per Local Rule B.2.
4. Defendant has made a limited appearance with the Court.

5. Defendant has contacted our office to discuss resolution of this case through New York based counsel Owen Duffy of the firm Chalos, O'Connor & Duffy . However, the case has not settled and Plaintiff is desirous of progressing the case to resolution.

6. I also certify that the pleadings to which no formal response has been made, particularly the Summons, Verified Complaint, Affidavit in Support of Prayer for Attachment, Rule 7.1 Disclosure Statement, Ex Parte Order, and Process of Maritime Attachment and Garnishment have been properly served on Defendant by DHL international courier on or about October 24, 2007. *See Notice of Attachment and DHL Confirmation Sheet annexed hereto as Exhibit "I."*

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 15, 2008.



Kevin J. Lennon

EXHIBIT 1

LENNON, MURPHY & LENNON, LLC – Attorneys at Law

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New York, NY 10170
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Charles E. Murphy - *cem@lenmur.com*
Kevin J. Lennon - *kjl@lenmur.com*
Nancy R. Peterson - *nrp@lenmur.com*

Tide Mill Landing
2425 Post Road
Southport, CT 06890
phone (203) 256-8600
fax (203) 256-8615

October 24, 2007

VIA Express Courier

Filomey Business Ltd.
Akara Building, 24 De Castro Street
Wickhams Cay 1, Road Town,
Tortola, British Virgin Islands

Re: Pegasus Denizcilik A.S v. Filomey Business Ltd.
Docket Number: **07cv8646**
Our Reference Number: 07-1245

Dear Sir or Madam:

We represent the Plaintiff, Pegasus Denizcilik A.S, in the above referenced lawsuit. We write to advise you that pursuant to an ex parte order of maritime attachment and garnishment issued in the above referenced lawsuit, your property was attached on or about October 16, 2007 at The Bank of New York in the amounts of \$72,659.4 and \$10,000.

Please note a Pre-trial Conference has been scheduled for January 3, 2008 in Courtroom 20-C at 9:45 a.m. We enclose a copy of the court Notice for the conference.

Please find enclosed herein a copy of all pleadings filed in the above referenced lawsuit including, but not limited to, the Summons and Complaint. Please also find enclosed copies of the ExParte Order and Writ of Maritime Attachment and Garnishment as well as a copy of the Judge's rules. If you have any questions or concerns, please contact us at your convenience. This letter is sent pursuant to Local Rule B.2 of the Local Rules for the United States District Court for the Southern District of New York.

Kind regards,


Mary Fedorchak

/Enclosures

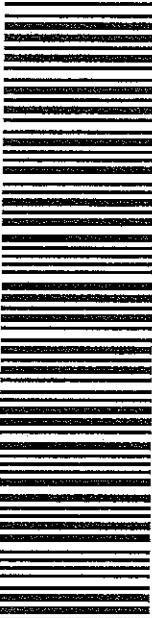
Mary E. Fedorchak

From: Worldwide_Express_Email_Notifier [support@wwexship.com]
Sent: Tuesday, October 30, 2007 7:56 PM
To: Mary E. Fedorchak; logs@wwexship.com
Subject: Delivered_Shipments

Our records indicate that the following shipment was delivered to:

FILOMEY BUSINESS LTD.
TORTOLA , 00000

Tracking Number: 8826081563
Account Number: 803172641
Shipment Reference: 1245
Shipment Description: legal documents
Delivery Date/Time: 10/26/07 10:48
Signed/Released by: A CASTILLO
Click here for more tracking info:
<http://track.dhl-usa.com/atrknnav.asp?ShipmentNumber=8826081563>

D O X		Parties: 1 / 1
From: LENNON MURPHY & LENNON Lennon, Murphy and Lennon 2425 POST ROAD SUITE 301 SOUTHPORT, CT 06890 UNITED STATES Tel: 203-256-8600 To: Filomey Business Ltd. Sir or Madam Akara Building, 24 De Castro Street Wickhams Cay1, Road Town Tortola, British VI VIRGIN IS BRITISH		
POSTCODE: RTH Weight: Letter for 1 pcs Date: 2007-10-24 Customs Value: 1 USD for 1 pcs These commodities, technology, or software were exported from the United States in accordance with the Export Administration regulations. Diversion contrary to U.S. law prohibited. Shipment may be verified via internet and stopping places which DHL deems appropriate.		
Description: legal documents Weight: Letter Dimensions: 0 X 0 X 0 Ship Ref: 1245 Service Level: International Express (Est. delivery is within two business days of customs clearance) Special Service: Date Printed: 2007-10-24 Bill Shipment To: Sender Bill To Account: 803172641 Ship Date: 2007-10-24		
 		
WAVBILL: 8826081563		

Create New International Shipment**SENDER'S RECEIPT**

Airbill #: 8826081563

To(Company):Filomey Business Ltd.
Wickhams Cay1, Road TownTortola, British VI
VIRGIN IS BRITISH

Attention To: Sir or Madam

Phone #: 203-256-8600

Sent By: Lennon, Murphy and Lennon

Phone #: 203-256-8600

View International Pending Shipments

Rate Estimate:	24.16	
Protection:	None Required	Amount: \$0
Description:	legal documents	
Weight:	Letter	
Dimensions:	0 X 0 X 0	
Ship Ref:	1245	
Service Level:	International Express	
(Est. delivery is within two business days of customs clearance)		
Special Service:		
Date Printed:	2007-10-24	
Bill Shipment To:	Sender	
Bill To Account:	803172641	
Ship Date:	2007-10-24	

DHL Signature (optional) _____ Route _____ Date _____ Time _____

For Tracking, please go to www.dhl-usa.com or call 1-800-CALL-DHL
Thank you for shipping with DHL Worldwide Express

Certificate of Origin

The undersigned:

for: LENNON MURPHY & LENNON
2425 POST ROAD
SUITE 301
SOUTHPORT, CT 06890

declares that the following mentioned goods shipped via: DHL CORPORATION

on the date: 10/24/2007 (mm/dd/yyyy)

cosigned to: Filomey Business Ltd.
Akara Building, 24 De Castro Street
Wickhams Cay1, Road Town
Tortola, British VI null VIRGIN IS BRITISH
Sir or Madam 203-256-8600

are the product of the countries described below.

Line	Description of Merchandise	HTS#	Country of Origin	Quantity	Unit
1	legal documents		United States	1	EA

Sworn before me this day:

(Day, Month, Year)

(Day, Month, Year)

(Notary Signature)

(Signature of Owner or Agent)

[Close This Window](#)

Commercial Invoice

LENNON MURPHY & LENNON.
2425 POST ROAD
SUITE 301
SOUTHPORT, CT 06890 US

Shipper/Exporter: LENNON MURPHY & LENNON 2425 POST ROAD SUITE 301 SOUTHPORT, CT 06890	Waybill Number: 8826081563 Export Date (dd/MMM/yyyy): 24/Oct/2007 Weight: 0(lb)					
Receiver/Consignee: Filomey Business Ltd. 1245 Akara Building, 24 De Castro Street Wickhams Cay I, Road Town Tortola, British VI VIRGIN IS BRITISH 203-256-8600	Receiver Reference: 1245 Shipper Reference: 1245 Country Of Ultimate Destination: VIRGIN IS BRITISH Exporting Carrier: DHL Express Corporation					
Receiver Tax ID/VAT#:	Terms Of Trade:					
Line Description of Merchandise HTS# Country of Origin Quantity Unit Unit Value Line Total						
1	legal documents	United States	1	EA	1	1.0
Package Marks:			Misc. charges:			
Shipment Comments:			Invoice Total: 1.0			

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Signature: _____ Date: _____

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